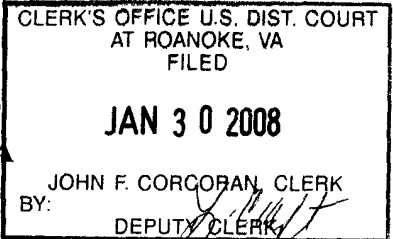


IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION



UNITED STATES OF AMERICA )

Petitioner, )

v. )

DONNA WOOD CHAMBERLAIN )

Defendant. )

Case No. ~~7:08-P0-001~~

7:08-cr-00002

MEMORANDUM OPINION  
AND ORDER

By: James C. Turk  
Senior United States District Judge

On January 3, 2008, the petitioner, Donna Wood Chamberlain ("Chamberlain"), pled not guilty to a speeding violation before a United States magistrate judge in the Western District of Virginia. After a hearing, the court found Chamberlain guilty of the charge. Chamberlain filed an appeal on January 14, 2008. On January 29, 2008, this court held a hearing on the matter. As such, this appeal is now ripe for review.

I.

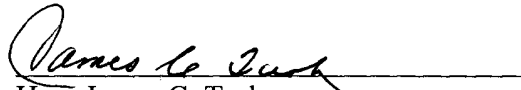
In her appeal, Chamberlain alleged a number of issues that she argued were procedural missteps during the course of her trial and the events leading to her trial. The majority of her points stemmed from her initial appearance in front of the magistrate judge. During the initial appearance, Chamberlain was seated in the midst of three other defendants. The magistrate judge proceeded with the initial appearances for all of the defendants as a group. Her location in the courtroom and her unfamiliarity regarding the proceedings prompted her to claim that "she had no privacy during the proceeding," in addition to feeling "intimidated and very nervous."

While Chamberlain's unfamiliarity with the proceeding may have alarmed her, this court

reviewed the record and an audio transcript of Chamberlain's initial appearance and trial. The magistrate judge did not err during the course of her proceedings. Furthermore, Chamberlain's petition, construed liberally, does not allege any errors of law. The Fourth Circuit has long allowed initial appearance proceedings for multiple defendants. See United States v. Doe, 743 F.2d 1033 (4th Cir. 1984). Accordingly, this court finds no grounds to set aside the magistrate judge's verdict.

It is hereby **ORDERED** that the trial verdict be **AFFIRMED**. The Clerk of Court is directed to send a copy of this Order to all parties of record.

ENTER:      This 30<sup>th</sup> day of January, 2008.

  
Hon. James C. Turk  
Senior United States District Judge